

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

DATE: November 5, 2014

**LEONARD DAVIS, Judge Presiding**

Court Reporters: Shea Sloan

Law Clerk(s): Alex Trzeciak

Chief Staff Attorney: Boone Baxter

Court Room Administrator: Rosa L Ferguson

<b>MASS ENGINEERED DESIGN, INC.</b>	<b>CIVIL ACTION NO: 6:14-CV-411</b>
<b>V.</b>	<b>SCHEDULING CONFERENCE</b>
<b>SPACECO BUSINESS SOLUTIONS, INC.</b>	
<b>MASS ENGINEERED DESIGN, INC.</b>	<b>CIVIL ACTION NO: 6:14-CV-412</b>
<b>V.</b>	<b>SCHEDULING CONFERENCE</b>
<b>ERGO TECH GROUP, INC.</b>	
<b>MASS ENGINEERED DESIGN, INC.</b>	<b>CIVIL ACTION NO: 6:14-CV-413</b>
<b>V.</b>	<b>SCHEDULING CONFERENCE</b>
<b>ISE, INC., ET AL</b>	
<b>MASS ENGINEERED DESIGN, INC.</b>	<b>CIVIL ACTION NO: 6:14-CV-414</b>
<b>V.</b>	<b>SCHEDULING CONFERENCE</b>
<b>PLANAR SYSTEMS, INC.</b>	
<b>MASS ENGINEERED DESIGN, INC.</b>	<b>CIVIL ACTION NO: 6:14-CV-431</b>
<b>V.</b>	<b>SCHEDULING CONFERENCE</b>
<b>HERMAN MILLER, INC.</b>	
<b>ATTORNEYS FOR PLAINTIFF</b>	<b>ATTORNEYS FOR DEFENDANTS</b>
<b>SEE SIGN-IN SHEETS</b>	
On this day, came the parties by their attorneys and the following proceedings were had:	
OPEN: 2:30 pm	ADJOURN: 2:55 pm

2:30 pm	<b>Case called. Parties announced ready.</b>
	Court addressed the parties on the scheduling conference.
	Court asked for a brief opening statement from the parties regarding the cases.
	Mr. Schlather addressed the Court and presented brief opening statements regarding the technology of the case and the prior case that was tried in Marshall, TX.
	Court inquired as to consolidation for pretrial. The Defendants are not opposed.
	Mr. Schlather further addressed the Court on Track B and the parties, SpaceCo, Herman Miller and Planar are in agreement to proceed on Track B with some modifications. As to the two remaining parties, they are awaiting to hear if they wish to proceed with Track B.
	Mr. Gillam addressed the Court and agrees that SpaceCo, Herman Miller and Planar have agreed to proceed on Track B with modifications to #2 – setting the deadline to December 15 and #4 – setting the deadline to January 15. Court will approve with these modifications.
	Court inquired what Track B would do for the cases. Mr. Gillam responded.
	Court inquired as to ISE and Ergo Tech. Ms. Phillips addressed the Court and advised that these parties have agreed to settle in principle. Ms. Phillips has placed a call and is waiting to hear back as to whether they agree to Track B. Court will assign it to Track B and hopefully it will get case resolved before a Docket Control Order is entered.
	Mr. Stevens addressed the Court on IPR and Motion to Stay. Mr. Thames also addressed the Court on the same issue.
	Mr. Edmonds addressed the Court on the Patents and reasoning on Track B. Because of the history with the patents and the work that has been done with this Court, they would prefer a Markman sooner than later. Court inquired when they could be ready for Markman. Mr. Edmonds responded they could be ready now and continued to address the Court.
	Court inquired as to Defendants' position. Mr. Thames responded.
	Court has April 23, 2015 available for the Markman. Court inquired if that is reasonable. Mr. Edmonds responded and it is reasonable but can do earlier. Mr. Gillam addressed the Court and indicated that a date earlier than the April date would not be preferable and would like an opportunity to confer with his client.
	Court will wait to hear from the parties on that.
	Court advised that parties that it has April 23, 2015 available for Markman hearing and will discuss further at the management conference.
	Mr. Thames addressed the Court on the timing on the 4.3 deadline. Mr. Edmonds addressed the Court and 4.2s and the 4.3s dates could be adjusted.
	Court will go ahead and set these dates: Markman on 4.23.2015. Jury Selection and Trial on 4.4.16, or Trial on 4.11.16, with Pretrial on March 24, 2016.
	Ms. Phillips addressed Court and she had heard back from ISE and Ergo and both agree to Track B. Court will proceed with all these cases on Track B.

2:55 pm.	There being nothing further, Court adjourned.